## REMARKS

Claims 1, 3, 4, 6-17, 20-26, 29, 34, 36-48 are pending in the Application, of which claims 1, 24, 25, 26, 34, 36, 37, 38, 39, 40, 42, 47 are independent. Claims 2, 5, 18, 19, 27, 28, 30-33 and 35 had been previously canceled. Claims 1, 24, 26, 34, 36-40, 42 and 47 have been amended. No new matter was added.

Applicants respectfully urge that all of the claims are patentable and in condition for allowance.

## I. Summary of Rejections

In the Office Action, the Examiner rejects claims 1, 3-4, 9-13, 23-24, 26, 29, 36-39 and 42-44 under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,877,138 to Fitzpatrick et al. (hereafter "Fitzpatrick") in view of The MathWorks using Simulink, version 5 (hereafter "the Simulink reference"). However, this rejection appears under the sub-heading of "Claim Rejections – 35 U.S.C. § 103". *See* Office Action, page 2. Accordingly, Applicants assume that claims 1, 3-4, 9-13, 23-24, 26, 29, 36-39 and 42-44 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,877,138 to Fitzpatrick et al. (hereafter "Fitzpatrick") in view of The MathWorks using Simulink, version 5 (hereafter "the Simulink reference").

In the Office Action,

claims 8, 25 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of U.S. Patent No. 6,407,753 to Budinsky et al. (hereafter "Budinsky");

claims 7 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of U.S. Patent No. 6,070,006 to Iriuchijima (hereafter "Iriuchijima");

claims 6, 16-17 and 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of U.S. Patent No. 6,195,092 to Dhond (hereafter "Dhond");

claims 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of U.S. Patent No. 6,300,949 to Shudo et al. (hereafter "Shudo");

claims 40 and 41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of U.S. Patent No. 6,738,964 to Zink et al. (hereafter "Zink");

claim 45 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of U.S. Patent Publication No. 2003/0132964 by Santori (hereafter "Santori");

claim 46 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of U.S. Patent Publication No. 2003/0132964 by Singh (hereafter "Singh"); and

claims 47 and 48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of U.S. Patent Publication No. 2002/0069400 by Miloushev et al. (hereafter "Miloushev").

These rejections are discussed below.

## II. Claim Rejections under 35 U.S.C. § 103

### A. Claims 1, 3-4, 9-13, 23-24, 26, 29, 36-39 and 42-44

As provided above, claims 1, 3-4, 9-13, 23-24, 26, 29, 36-39 and 42-44 are assumed to be rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference. Applicants respectfully traverse this rejection.

#### 1. Claims 1, 3-4, 9-13 and 23

Applicants respectfully urge that Fitzpatrick and the Simulink reference, taken either alone or in any reasonable combination, do not disclose or suggest at least the following element of claim 1: *selecting at least one characteristic common to a plurality of source blocks in a block diagram.*

Applicants urge that neither reference discloses *selecting at least one characteristic common to a plurality of source blocks in a block diagram*. Fitzpatrick discusses selecting a target object having attributes that are to be changed and performing an action to cause a menu of functional options to pop up or drop down adjacent the selected object. *See* Col. 1, lines 41-49. One of the options presented in this menu is the "Set Attributes To . . . " function. Fitzpatrick further discusses locating a source object having the attributes to be transferred and transferring all relevant attributes of the source object to the target object. *See* Col. 1, lines 50-58.

As such, Fitzpatrick merely discusses selecting attributes to be transferred from <u>one</u> source object to <u>one</u> target object. In contrast, Applicants' amended claim 1 recites *selecting at least one characteristic <u>common to a plurality of source blocks</u> in a block diagram*. Fitzpatrick does not disclose selecting a characteristic common to a plurality of source blocks.

The Simulink reference is merely cited for the selected characteristic being one of a functional attribute, a compiled attribute, an execution data field, a block method or a block parameter. The Simulink reference, like Fitzpatrick, does not disclose selecting a characteristic common to a plurality of source blocks. As such, the Simulink reference, alone or in any reasonable combination with Fitzpatrick, does not disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*, as recited in Applicants' claim 1.

For reasons set forth above, Applicants respectfully urge that Fitzpatrick and the Simulink reference, taken either alone or in any reasonable combination, do not disclose or suggest at least the foregoing elements of claim 1. Accordingly, Applicants respectfully request that the Examiner withdraw the above §103 rejection of claim 1.

Claims 3-4, 9-13 and 23 depend from claim 1 and, as such, incorporate each and every element of claim 1. Applicants urge that claims 3-4, 9-13 and 23 are allowable for at least the reasons discussed above for claim 1. Accordingly, Applicants respectfully request that Examiner withdraw the above § 103 rejection of claims 3-4, 9-13 and 23.

### 2. Claims 24, 26, 29, 36-39 and 42-44

Independent claim 24 recites *select at least one characteristic common to a plurality of blocks in the block diagram*. Independent claim 26 recites *receive a selection of at least one characteristic common to a plurality of source blocks in a block diagram*. Independent claim 36 and 37 include *selecting at least one characteristic common to a plurality of source components*. Independent claims 38 and 39 include *selecting at least one characteristic common to a plurality of source graphical elements*. Independent claim 42 recites *selecting at least one characteristic common to a plurality of source blocks in a block diagram*.

In light of the arguments presented above with respect to claim 1, Applicants respectfully urge that Fitzpatrick and the Simulink reference, taken either alone or in any reasonable combination, do not disclose or suggest at least these elements of claims 24, 26, 36, 37, 38, 39 and 42.

Claim 29 depends from claim 26. Claims 43 and 44 depend from claim 42. Dependent claims incorporate each and every element of the independent claim upon which they depend. Applicants urge that claims 29 and 43-44 are allowable for at least the reasons discussed above.

Accordingly, Applicants respectfully request that Examiner withdraw the above § 103 rejection of claims 24, 26, 29, 36, 37, 38, 39 and 42-44.

### B. Claims 8, 25 and 34

In the Office Action, claims 8, 25 and 34 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of Budinsky. Applicants respectfully traverse this rejection.

### 1. Claim 8

Claim 8 depends from independent claim 1 and, as such, incorporates each and every element of claim 1. In light of the arguments presented above, Applicants respectfully urge that Fitzpatrick and the Simulink reference, taken either alone or in any reasonable combination, do not disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*, as recited in Applicants' claim 1.

Budinsky fails at curing the shortcomings of Fitzpatrick and the Simulink reference with respect to disclosing or teaching this claim element. Budinsky generally discusses automatic and user guided rule-based matching and reconciliation for integrating one or more entities. *See* Col. 2, lines 56-59. Budinsky further indicates that the matching/reconciliation rules are stored such that they can be recalled and applied during a subsequent editing session when the input entities change or a new composite entity of the inputs is desired. *See* Col. 2, lines 59-63.

Nowhere does Budinsky disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*.

Accordingly, Applicants respectfully request that the Examiner withdraw the above §103 rejection of claim 8.

### 2. Claim 25

Independent claim 25 recites *receiving a designation of a plurality of destination blocks in a block diagram* and *propagating said selected at least one characteristic to each of said plurality of destination blocks*.

The Examiner indicates that the combination of Fitzpatrick and the Simulink reference does not explicitly disclose *receiving a designation of a plurality of destination blocks in a block diagram*. *See* Office Action, pages 12-13. However, the Examiner asserts that Budinsky discloses this claim element. Applicants respectfully disagree.

The section of Budinsky cited in the Office Action as disclosing *receiving a designation of a plurality of destination blocks in a block diagram* merely discusses integrating entities that must be shared by, or passed between, different applications. *See* Col. 1, lines 42-49. Budinsky indicates that the process of sharing the entities among different applications may be referred as interface mapping, message mapping or data mapping. *See* Col. 1, lines 46-50.

However, these different mapping methods are not equivalent to receiving a designation of a plurality of destination blocks in a block diagram in order to propagate a selected characteristic to each of the plurality of destination blocks as required by claim 25. Specifically, Budinsky indicates that integration of entities maps the inputs to the outputs. *See* Col. 1, lines

50-52. However, Budinsky is silent about designating a plurality of destination blocks for propagating a characteristic to each of the plurality of destination blocks.

In light of the arguments presented above, Applicants respectfully urge that Fitzpatrick, the Simulink reference and Budinsky, taken either alone or in any reasonable combination, do not disclose or suggest *receiving a designation of a plurality of destination blocks in a block diagram* and *propagating said selected at least one characteristic to each of said plurality of destination blocks*, as recited in Applicants' claim 25.

Accordingly, Applicants respectfully request that the Examiner withdraw the above §103 rejection of claim 25.

### 3. Claim 34

In light of the arguments presented above with respect to claim 1, Applicants respectfully urge that Fitzpatrick and the Simulink reference, taken either alone or in any reasonable combination, do not disclose or suggest at least *selecting at least one characteristic common to a plurality of source graphical objects*, which is present in Applicants' claim 34. For at least the reasons set forth above with respect to claim 8, the Applicants respectfully urge that Budinsky fails at curing the shortcomings of Fitzpatrick and the Simulink reference with respect to disclosing or teaching this claim element.

Accordingly, Applicants respectfully request that the Examiner withdraw the above §103 rejection of claim 34.

### C. Claims 7 and 21

In the Office Action, claims 7 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of Iriuchijima. Applicants respectfully traverse this rejection.

Claims 7 and 21 depend from claim 1 and, as such, incorporate each and every element of claim 1. As discussed above, Fitzpatrick and the Simlink reference, taken either alone or in any reasonable combination, do not disclose or suggest *selecting at least one characteristic*

*common to a plurality of source blocks in a block diagram*, which is present in claims 7 and 21. In addition, Iriuchijima fails to disclose or suggest at least this claim element.

Therefore, Applicants respectfully urge that Fitzpatrick, the Simulink reference and Iriuchijima, taken either singly or in any reasonable combination, fail to disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*, which is present in claims 7 and 21.

Accordingly, Applicants respectfully request that the Examiner withdraw the above rejection of claims 7 and 21 under 35 U.S.C. § 103(a).

### D. Claims 6, 16-17 and 20-22

In the Office Action, claims 6, 16-17 and 20-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of Dhond. Applicants respectfully traverse this rejection.

Claims 6, 16-17 and 20-22 depend from claim 1 and, as such, incorporate each and every element of claim 1. As noted above, Fitzpatrick and the Simulink reference, taken either alone or in any reasonable combination, do not disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*, which is present in claims 6, 16-17 and 20-22. Dhond fails to disclose or suggest at least this claim element.

Therefore, Applicants respectfully urge that Fitzpatrick, the Simulink reference and Dhond, taken either singly or in any reasonable combination, do not disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*, which is present in claims 6, 16-17 and 20-22.

Accordingly, Applicants respectfully request that the Examiner withdraw the above rejection of claims 6, 16-17 and 20-22 under 35 U.S.C. § 103(a).

E. Claims 14 and 15

In the Office Action, claims 14 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of Shudo. Applicants respectfully traverse this rejection.

Claims 14 and 15 depend from claim 1 and, as such, incorporate each and every element of claim 1. As discussed above, Fitzpatrick and the Simulink reference, either taken alone or in any reasonable combination, do not disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*, which is present in claims 14 and 15. Shudo fails to disclose or suggest at least this claim element.

Therefore, Applicants respectfully urge that Fitzpatrick, the Simulink reference and Shudo, taken either singly or in any reasonable combination, do not disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*, which is present in claims 14 and 15.

Accordingly, Applicants respectfully request that the Examiner withdraw the above rejection of claims 14 and 15 under 35 U.S.C. § 103(a).

F. Claims 40 and 41

In the Office Action, claims 40 and 41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of Zink. Applicants respectfully traverse this rejection.

Claim 41 depends from claim 40 and, as such, incorporates each and every element of claim 40. Claim 40 includes *selecting at least one characteristic of a source line associated with a first block and a second block of a block diagram, said source line representing at least one signal*, which, is not disclosed or suggested by Fitzpatrick, the Simulink reference and Zink.

The Examiner asserts that Fitzpatrick discloses this claim element at Col. 1, lines 42-49. *See* Office Action, page 18, § 9. However, the cited section of Fitzpatrick is silent about a source line associated with a first block and a second block of a block diagram. Applicants amend claim 40 to further recite that the source line *represents at least one signal*. As defined in

the specification, in the present application, signals correspond to the time-varying quantities represented by each line connection and are assumed to have values at each time instant. *See* Present Application, page 12.

In contrast, Fitzpatrick discusses signals representing audible sound. *See* Col. 1, line 10. Fitzpatrick, alone or in any reasonable combination with the Simulink reference and Zink, does not disclose or suggest *selecting at least one characteristic of a source line associated with a first block and a second block of a block diagram, said source line representing at least one signal*, as provided in Applicants' claim 40.

Therefore, Applicants respectfully urge that Fitzpatrick, the Simulink reference and Zink, taken either singly or in any reasonable combination, do not disclose or suggest *selecting at least one characteristic of a source line associated with a first block and a second block of a block diagram, said source line representing at least one signal*, which is present in claims 40 and 41.

Accordingly, Applicants respectfully request that the Examiner withdraw the above rejection of claims 40 and 41 under 35 U.S.C. § 103(a).

G. Claim 45

In the Office Action, claim 45 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of Santori. Applicants respectfully traverse this rejection.

Claim 45 depends from claim 42 and, as such, incorporates each and every element of claim 42. As noted above Fitzpatrick and the Simulink reference, taken either alone or in any reasonable combination, do not disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*, which is present in claim 45. Santori fails to disclose or suggest at least this claim element.

Therefore, Applicants respectfully urge that Fitzpatrick, the Simulink reference and Santori, taken either singly or in any reasonable combination, do not disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*, which is present in claim 45.

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Accordingly, Applicants respectfully request that the Examiner withdraw the above rejection of claim 45 under 35 U.S.C. § 103(a).

H. Claim 46

In the Office Action, claim 46 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of Singh. Applicants respectfully traverse this rejection.

Claim 46 depends from claim 42 and, as such, incorporates each and every element of claim 42. As noted above Fitzpatrick and the Simulink reference, taken either alone or in any reasonable combination, do not disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*, which is present in claim 42. Likewise, Singh does not disclose or suggest this claim element.

Therefore, Applicants respectfully urge that Fitzpatrick, the Simulink reference and Singh, taken either singly or in any reasonable combination, do not disclose or suggest *selecting at least one characteristic common to a plurality of source blocks in a block diagram*, which is present in claim 46.

Accordingly, Applicants respectfully request that the Examiner withdraw the above rejection of claim 46 under 35 U.S.C. § 103(a).

I. Claims 47 and 48

In the Office Action, claims 47 and 48 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Fitzpatrick in view of the Simulink reference and in further view of Miloushev. Applicants respectfully traverse this rejection.

Claim 48 depends from claim 47 and, as such, incorporates each and every element of claim 47. As noted above, Fitzpatrick only discusses selecting properties of a single block. Therefore, Fitzpatrick, taken either alone or in any reasonable combination with the Simulink reference and Miloushev, do not disclose or suggest *selecting at least one characteristic of a first source block and a second source block in a block diagram*, which is present in claims 47 and 48.

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For the reasons set forth above, Applicants respectfully urge that Fitzpatrick, the Simulink reference and Miloushev, taken either singly or in any reasonable combination, do not disclose or suggest each and every element of claims 47-48. Accordingly, Applicants respectfully request that the Examiner withdraw the above rejection of claims 47-48 under 35 U.S.C. § 103(a).

## CONCLUSION

In view of the above comments, Applicants believe the pending application is in condition for allowance and urges the Examiner to pass the claims to allowance. Should the Examiner feel that a teleconference would expedite the prosecution of this application, the Examiner is urged to contact the Applicants' attorney at (617) 227-7400.

Please charge any shortage or credit any overpayment of fees to our Deposit Account No. 12-0080, under Order No. MWS-033RCE2. In the event that a petition for an extension of time is required to be submitted herewith, and the requisite petition does not accompany this response, the undersigned hereby petitions under 37 C.F.R. § 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized to be charged to the aforementioned Deposit Account.

Dated: September 9, 2009                          Respectfully submitted,

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